

CHAPTER NO. 95

HOUSE BILL NO. 4065

By Representatives Russell Johnson, McKee

Substituted for: Senate Bill No. 4009

By Senator McNally

AN ACT to amend Chapter 663 of the Private Acts of 1911; as amended by Chapter 66 of the Private Acts of 1915; Chapter 149 of the Private Acts of 1943; Chapter 477 of the Private Acts of 1945; Chapter 150 of the Private Acts of 1990; Chapter 219 of the Private Acts of 1990 and Chapter 75 of the Private Acts of 1991; and any other acts amendatory thereto, relative to elections in the City of Madisonville.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 663 of the Private Acts of 1911; as amended by Chapter 149 of the Private Acts of 1943; Chapter 477 of the Private Acts of 1945; Chapter 150 of the Private Acts of 1990; Chapter 219 of the Private Acts of 1990 and Chapter 75 of the Private Acts of 1991; and any other acts amendatory thereto, is amended by deleting Section 4 in its entirety and substituting instead the following:

Section 4. Elected Officials, Mayor's Duties, Vice-Mayor, Vacancies, Meetings.

(a) Elected officials. The Mayor, Recorder and five (5) Aldermen shall be elected by the qualified voters thereof and shall hold their offices for four (4) years and until their successors shall be elected by the qualified voters.

(b) Mayor's duties. The Mayor shall preside at all meetings of the Council and take care that all ordinances and orders of the Council are enforced, observed and respected. The Mayor shall not have a vote on the City Council, but shall vote to break a tie except in election contests. The Mayor shall not have veto power.

(c) Vice-Mayor. In the first regular meeting of the City Council following each general election of the first Tuesday after the first Monday in November of an even numbered year and following the oath of office of the newly elected members of the City Council, the City Council shall elect from its membership a Vice-Mayor. The Vice-Mayor, in the absence of the Mayor, shall perform all the duties of the Mayor and, in case of a vacancy in the office of the Mayor, the Vice-Mayor shall become Mayor and shall serve out the remainder of the Mayor's term.

(d) Vacancies. A vacancy shall exist in the office of Mayor, Alderman or Recorder if the official dies, resigns, is removed from office by an order of the court or moves their residence outside the city limits. When a vacancy occurs, the remaining Aldermen shall elect officers to fill such vacancies, and the officials so selected shall hold office until the next regular election.

(e) Meetings. All regular meetings of the City Council shall be held on the first Monday of each month. The Mayor or any three (3) Aldermen may call special sessions of the Council when it is deemed expedient; provided, however, that meetings of the Council shall not be held more frequently than once a week.

SECTION 2. Chapter 663 of the Private Acts of 1911; as amended by Chapter 66 of the Private Acts of 1915; Chapter 149 of the Private Acts of 1943; and any other acts amendatory thereto, is further amended by deleting Section 6 in its entirety and substituting instead the following:

Section 6. Elections.

(a) Date. Beginning in 2006, a general City election shall be held on the first Tuesday after the first Monday in November and each even numbered year thereafter.

(b) General election laws apply. All elections shall be conducted by the Commissioners of Elections of Monroe County in accordance with the general election laws and this Charter.

(c) Voter qualification requirements. Any person who is a resident of the City of Madisonville and qualified to vote for members of the General Assembly and other civil officers for Monroe County shall be entitled to vote in elections for Mayor, Recorder and

Alderman. The same qualifications for voting in all other City elections or referenda shall apply unless otherwise provided by law.

(d) Transition. The Mayor, Recorder and two Aldermen elected in the general City election held on the first Tuesday in September 2002 shall have their terms extended until their successors are elected in the general City election held on the first Tuesday following the first Monday in November of 2006. The three Aldermen elected in the general City election held on the first Tuesday in September 2004 shall have their terms extended until their successors are elected in the general City election held on the first Tuesday following after the first Monday in November of 2008. The Mayor, Recorder and any Alderman shall be eligible for re-election and, thereafter, the terms of the Mayor, Recorder and all Aldermen shall be four (4) years and until their successors shall be elected.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Madisonville within sixty (60) days of its signing by the governor of this state. Its approval or nonapproval shall be proclaimed by the presiding officer of the City of Madisonville and certified to the secretary of state.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 3.

PASSED: April 13, 2006


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 24th day of April 2006


PHIL BREDESEN, GOVERNOR